

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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NANCY ALYWAHBY,

Plaintiff,

- against -

ERIC K. SHINSEKI,
Secretary of Veterans Affairs,

Defendant.

ORDER

01 CV 6512 (NGG)(LB)

01 CV 8017 (NGG)(LB)

04 CV 2183 (NGG)(LB)

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BLOOM, United States Magistrate Judge:

By letter dated January 17, 2010, plaintiff filed a letter to “address some discrepancies between concepts or statements in [t]he Order and my case.” See docket entry 92. Plaintiff’s filing states that she is requesting discovery on the “[i]tems the VA refused to furnish based on ‘privacy.’” Id. at 5. Plaintiff also states that she would like to “add an expert witness that is certified, licensed and practicing Nurse Practitioner in New York State” and “the previous expert witness I had mentioned that knows the VA Nursing System as an Administrator.” Id. at 6. Defendant opposes plaintiff’s requests and states that patients’ names and personal information were withheld based on privacy as were the names of individuals who were unrelated to plaintiff’s application for clinical privileges. See docket entry 91. Defendant further alleges that the witnesses plaintiff wishes to add were not disclosed during discovery. Id. By Order dated January 29, 2010, the Hon. Nicholas G. Garaufis referred plaintiff’s requests for further discovery and to add individuals to her witness list to me for determination. See docket entry 93.

Discovery closed on December 31, 2002 in plaintiff's 01-cv-6512 and 01-cv-8017 cases and on January 3, 2005 in case 04-cv-2183. The Court has held numerous pretrial conferences¹ and is satisfied that plaintiff had the opportunity to raise her discovery issues. Therefore, to the extent plaintiff's January 17, 2010 filing is construed as a request to reopen discovery, that request is denied.

SO ORDERED.

/Signed by Judge Bloom/


LOIS BLOOM

United States Magistrate Judge

Dated: February 5, 2010
Brooklyn, New York

¹ The Court held pre-trial conferences on February 12, 2004, July 28, 2004, April 24, 2006, November 3, 2004 and January 31, 2005.